
EXECUTIVE COMMUNICATION
ENCLOSING A
COMMUNICATION
FROM THE
EXECUTIVE OF THE STATE OF VIRGINIA,
RELATIVE TO
FUGITIVES.

COMMUNICATIONS.

January 5, 1841.

To the House of Delegates,

I send herewith all the communications which have been received from the Governor of Virginia, in relation to the refusal of the Governor of New York to deliver up certain fugitives from justice.

WM. GRASON.

Communication from the Governor of Virginia.

EXECUTIVE DEPARTMENT, Nov. 12th, 1840.

SIR:

I have had the honor already to transmit to your Excellency, a copy of certain proceedings of the general assembly of Virginia, in relation to the refusal of the governor of New York to surrender certain free negroes on the demand of the executive of this State. These fugitives from justice were charged with having stolen within the jurisdiction of Virginia, a slave, the property of a citizen of this state, and with having fled to the state of New York. By one of the resolutions of the general assembly of this state, I am instructed "to open a correspondence with the executive of each of the slaveholding states, requesting their co-operation in any necessary and proper measure of redress which Virginia may be forced to adopt." I forbore to address your excellency on this subject, until I had again and again endeavored to induce the executive of New York to retract a position which is deemed utterly untenable, and destructive of the clear, acknowledged constitutional rights of the other states. The final and deliberate purpose of the governor of New York, to adhere to so gross and dangerous a perversion of the federal constitution, having been at length announced to me, I have now no alternative, and in compliance with the resolution of the general assembly, must invoke, on behalf of Virginia, and of every slaveholding state, the earnest and effectual consideration, by your state, of a subject which so nearly and vitally affects our common interests.

The report and resolutions which have been communicated to your excellency, will apprise you of the general views entertained in reference to this controversy, by the last general assembly of this state, and by the governor of New York. Fortunately for the slaveholding states, the question involved, has been so distinctly and emphatically settled by the plain terms of the federal constitution, that it is impossible for the ingenuity or the prejudices of the human mind, to deny, or evade, our just demand, without doing manifest violence to that sacred instrument. The slaveholding states stand now precisely where they stood when the constitution was submitted by the convention of 1787, and ratified by all the states, claiming the same rights and no more, which every state then readily conceded to us; and it seems to me that the question which has been forced on us by the refusal of the governor of New York to abide by the constitution, is one on which we can have little to apprehend from the justice and patriotism, even of the non-slaveholding states. It is not a question whether slavery ought originally to have been introduced, or should continue to exist in this country. If it were, many of the states whose policy on this subject differs from our own, could not fail to recollect their agency in introducing the present system of slavery, and the very recent periods at which some of them, and particularly New York, have abolished it within their own borders. The question is, whether the constitution shall continue to afford to the slaveholding states, that protection which was expected by us and designed by all the states. It is well known, that, though most of the states held slaves at the period when our Union was formed, yet the subject of our slave population was the chief and most perplexing difficulty with the framers of the constitution. This was then, as it is now, one of those subjects where it is easier to feel than to reason, where misguided passion may meditate and accomplish more mischief than the judgment can redress, where the sacred names of philanthropy and religion may be invoked by demons, to cover the blood-stain of their impious and cruel designs.

The federal constitution has been voluntarily ratified by each of the states, and its provisions and all laws made in pursuance of them, are the supreme law of every state. This instrument, as a compact between the states, permitted the importation of slaves from foreign countries for a specified time, and fixed the maximum rate of impost duties which could be levied on them by congress. That time expired in 1808, though the states had generally ceased to avail themselves of this stipulated right, long before. Still the right was guaranteed to each of the original states, by the letter of the constitution.

The second section of the first article of the federal constitution recognizes slaves as an element of taxation and representation. The

second section of the fourth article contains but three provisions, which are as follows :

"1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

"2. A person charged in any state, with treason, felony or other crime, who shall flee from justice, and be found in another state shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

"3. No person held to service, or labor, in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service, or labour, but shall be delivered up, on claim of the party to whom such service, or labour, may be due."

Here the right of the master to his slave as property is distinctly recognized, not only in the state where the slave "is held to service or labour," but for the purpose of reclaiming and recovering him, in any other state to which the slave may escape. The federal constitution does most distinctly and unequivocally recognize the existence of slavery in the United States; and congress, by their act of February 1793, have provided specific means for the security of the master's rights throughout the states.

The governor of New York has refused to surrender these fugitives from justice on the demand of Virginia, because they are charged with having stolen a slave, and because slavery is not now recognized by the laws of New York. With the same propriety and for the stronger reason, he might, and no doubt would, (if the case had been left by the act of congress within the sphere of his official discretion,) refuse to permit a fugitive slave to be recovered by his master within the jurisdiction of New York. In fact the principles assumed by the governor of New York in this case, would lead to the subversion of the federal compact, and leave each state in its intercourse with the others, at perfect liberty to prescribe for itself and its co-states, any rule which its caprice or prejudice might dictate. If the federal constitution has ceased to be the supreme law in so essential a particular, our domestic institutions and our property are exposed to perils, against which we have no adequate legal defence, either as it regards the incursions of the states or of the federal government. The construction which absolves one state, or any department of the federal or state government, from its obligation to obey the constitution, necessarily absolves all other states and all other departments. The state and federal judiciary of New York, its senators and representatives in congress, the judiciary, the representatives, the executives of other states, are no more bound to obey the constitution, than is the governor of New York. If the state of Virginia has no right to demand the surrender of a fugitive who has stolen a slave here and

sought refuge in the state of New York, the owner of a slave can have no right to recover his property there, and the slaveholding states are exposed to all the burdens of our federal compact, without deriving any equivalent benefit, to all the dangers of a delusive alliance, without the means of self-protection which have been surrendered for its sake. It is in vain for us to be told that the state of New York is prepared to acknowledge our perfect right of property in our lands and chattles, and that the thief who steals a hat, or pair of shoes, will be surrendered to answer the criminal accusation under our laws, while he who steals, or spirits away our slaves, shall be permitted to do so with impunity, under the protection of that state.

The question which lies at the foundation of all the social relations between the states, is not, what measure of justice may be vouchsafed to us by the arbitrary pleasure of any state, but whether the rights and the remedies secured by our compact of union, and prescribed on the paramount authority of all the states, shall continue to prevail.

It cannot be maintained that the constitutional rights of the slaveholding states, have not been recognized by the laws of New York. They are necessarily recognized by each state of the Union so long as the federal constitution continues to be "the supreme law of the land." If the governor of New York admits that instrument to be valid and binding on the citizens and officers of his state, he cannot deny that the right of Virginia to make this demand, is perfect, although the fugitives are charged with stealing a slave. He must succeed in establishing the authority of his state as paramount to the constitution of the United States, or he must admit that a law which the citizens of that state have ratified in convention as their supreme law, and which he and every other state officer has sworn to support as such, does recognize slavery, so far at least as to give to this state the right to demand the surrender of a fugitive charged with stealing a slave. And this is the whole extent of our controversy; for Virginia has not attempted to prescribe any new rule or social relation to New York, nor to interfere in any manner with those which she may have prescribed for herself. It is insisted that the federal constitution has conferred on Virginia the right to make this demand, and imposed on New York the obligation to comply with it, and it remains to be seen whether that state can occupy the position in which she is involved by the course of her chief magistrate, whether as a member of the Union, she shall participate in its blessings without sharing its responsibilities and its burdens.

Virginia is not without ample means of redress for all the wrongs which may be anticipated. She does not appeal to the states possessing a common interest on this subject with herself, from any distrust of her cause, or from any wish to involve others in contro-

versy on her account. She desires to shrink from no peril which threatens her alone, nor to avoid her just share of that which endangers the rights of any member of the Union. If it had been her object merely to vindicate her own rights, she could have done so by precipitating this question to extremes, without consultation with her co-states. Had she followed the example of the chief magistrate of New York, and disregarded all constitutional obligations on this subject, she would have had no doubt of the sympathies, though she might not have deserved the succour, of those to whom she now appeals. But the constitution of the United States, and the incalculable benefits of our union, are too dear to every Virginian, to be abandoned while there remains a hope of their preservation; and it has been deemed respectful to those states which are exposed to the same dangers, and which claim the same rights as ourselves, to submit our controversy to their calm reflection, that they may advise us if we have mistaken their constitutional rights and our own, or aid us by their counsel and co-operation in our effort to re-establish the just and constitutional relations of the states.

It may be asked, by what means shall this be effected, and why has Virginia asked you to "co-operate in any necessary and proper measure of redress which she may be forced to adopt," without indicating the character of the measures which are contemplated? It is because Virginia does not regard this question as her own, but as involving principles of the utmost consequence to all the states; that she desires to confer with her sister states as to the mode and measure of redress, instead of committing herself and them by action, the necessity of which she is anxious, if possible, altogether to avert. She desires to be assured by your authority, that she has not mistaken her own rights and yours, and to obtain the benefit of your agency, in effectually vindicating them.

It may be asked why this appeal is only made to the slaveholding states. It is answered, that unless there were a necessity to invite the non-slaveholding states to meet us in convention, as co-arbiters of this controversy, it would be needless to ask their counsel, or co-operation, in regard to a subject on which they may be supposed to feel no other than a general interest as members of the Union. The expectation is still confidently indulged, that reason alone will be found adequate to re-establish the principles and letter of the constitution in this essential particular, and we cannot with propriety ask that those who have no immediate interest in the question, should furnish arguments for us who have. Virginia has forborne to invite the co-operation of the non-slaveholding states, from no want of confidence in their devotion to the Union, and to the principles of mutual and just concession in which it has been founded. While she could not fail to be gratified by the voluntary sanction of their judgment in favor of her rights under the constitution, she has

not desired to embarrass them, nor to commit herself, by an appeal to their authority. Besides, this is a question on which all the states have continued from 1787 to the present time, to concur in the conclusions established by the constitution and maintained by Virginia, and it might be deemed disrespectful to presume that any state, even New York herself, would sanction the dangerous fallacies of governor SEWARD. But two instances are remembered in which executive officers of the states have hesitated to comply with the requisitions of the act of congress, where the peculiar interests of the southern states were involved, while it is a source of much satisfaction to know, that as yet, no state has deliberately sustained their heresies. The legislature of Virginia have therefore deemed it sufficient to lay this general subject before the non-slaveholding states, without inviting their immediate co-operation. I have accordingly communicated the proceedings of our general assembly to all the states.

I am not instructed by the legislature, to suggest any specific line of policy as likely, to be adopted by this state, or to be recommended to you. Common interest and common dangers require that there should be mutual confidence and concert between us. Should the state of New York, or any other state, persist in this arbitrary denial of our rights, you are apprised by the resolutions of our legislature, that the state of Virginia does not intend to submit to so dangerous and palpable a violation of our compact. We desire to know whether those states which, like ourselves, have peculiar interests involved in this question, concur in our convictions of right, and in our resolution to maintain them.

There is no difficulty in finding means for our defence. The difficulty is, in being convinced that any portion of our countrymen will drive us to resort to them. There can be no more auspicious occasion than the present, for the slaveholding states to demand an explicit understanding as to their constitutional rights, and to terminate forever the experiments which mischievous spirits have been allowed to make on our property and our peace. If there is any question connected with southern interests, which can be met with calmness and composure, with solemn deference for the established principles of abstract justice and constitutional law, by the whole American people, it is surely this. If the appalling dangers and glorious triumphs of which our Union has been the witness, can inspire no reverence for the past, will the sacred names of justice, fidelity, patriotism and religion, avail nothing for the future? Has the maniac yell of fanaticism silenced all these? If it be so, it is time that the painful truth were known to all, and that we may no longer lean on a broken reed, which will only pierce our sides.

I have been encouraged, however, to hope for a more cheering result. I have thought that this question was destined to arrest the serious attention of the states, and to revive the feelings and re-

Reflections which gave rise to our happy form of union, to remind us of the sacrifices and concessions which established our national Independence and prosperity, and to teach our countrymen that there is danger of losing the substance of the liberties now enjoyed, by grasping at the shadow of universal emancipation. If I am mistaken in this, Virginia may still derive some consolation from the reflection, that the danger was one which she did not seek and could not shun.

The legislature of New York, it is believed, have not concurred in the views of her executive, and though the subject was submitted to them at their last session, they failed to express any opinion directly on the subject of this controversy. I should infer nothing unfavorable from this, but for the passage of an act by that body, after this subject was before them, giving or designing to give the right of trial by jury to slaves in that state arrested on the claim of their owners, and imposing very serious obstacles to the recovery of this species of property, and very severe penalties on the unsuccessful assertion of the master's rights. A similar statute of that state, it is believed, has been heretofore annulled by the state judiciary, as contravening the federal constitution, and the act of congress of 1793.

The adoption of retaliatory measures by the slaveholding states, if this denial of our rights is persevered in, would probably arrest the evil, and lead to a speedy adjustment of these questions. But as too early a resort to such means, might probably preclude a dispassionate recognition of our rights, and as we cannot distrust the justice of our demands, and ought not to anticipate a want of fidelity in our countrymen to a constitution, which, they like ourselves, have sealed with their blood, and sanctioned by their oaths, Virginia is reluctant to follow the example of the governor of New York, and consider our federal compact at an end. It remains to be seen whether the expression of one common feeling and one resolution on the part of the slaveholding states, will hereafter prevent some such necessity. It is very evident that the single infraction of the constitution which has occurred in this instance, if not redressed, may lead to the total subversion of those amicable and intimate relations which that instrument was designed to establish between the states, and that in their intercourse with each other, they will be exposed, under the construction of governor SEWARD, to all the inconveniences and all the dangers to which foreign and hostile nations are subject.

I have the honour, sir, to request that your excellency will bring this subject to the consideration of the legislature of your state, and to offer the assurance of the distinguished esteem, &c.

With which I am,

Your ob't ser'vi,

THOMAS W. GILMER.

To his Excellency the GOVERNOR OF MARYLAND.

PREAMBLE AND RESOLUTIONS
RELATIVE TO THE DEMAND BY
THE EXECUTIVE OF VIRGINIA
UPON THE
EXECUTIVE OF THE STATE OF NEW YORK,
FOR THE SURRENDER OF
THREE FUGITIVES FROM JUSTICE.

The committee to whom was referred so much of the Governor's message and accompanying documents, as relates to his demand upon the Executive of New York for the surrender of three fugitives from justice, have had the same under consideration, and agree to the following

REPORT :

In July last the Executive of Virginia made a demand upon the Governor of New York for the surrender of Peter Johnson Edward Smith and Isaac Gausey, attached to the schooner Robert Center, *then* in New York, who were duly charged by affidavit, regularly made before Miles King, mayor and justice of the peace for Norfolk, with having feloniously stolen and taken from John G. Colley a certain negro slave Isaac, the property of said Colley. The Governor of New York refused to comply with the demand, and assigned as his reasons for the refusal, that the right to demand and the reciprocal obligation to surrender fugitives from justice between sovereign and independent nations, as defined by the law of nations, include only those cases in which the acts constituting the offence charged, are recognized by the universal law of all civilized countries; that the object of the provision in the constitution of the United States relative to the demand of fugitives from justice was to recognize and establish this principle in the mutual relations of the States as independent, equal and sovereign communities; that the provision applies only to those acts, which, if committed within the jurisdiction of the State in which the person accused is found, would be treasonable, felonious or criminal by the laws of that State; that no law of New York, at this time recognized, no statute admitted, that one man could be the pro-

perty of another, or that one man could be stolen from another, and that consequently the laws of this State making the stealing of a slave felony, did not constitute a crime within the meaning of the constitution.

Your committee have bestowed upon each of these propositions the reflection which their importance demanded; and that reflection has brought them to very different conclusions from those arrived at by the Governor of New York.

A citizen of one nation is permitted to enter the territory of another, upon the tacit condition that he shall not violate her laws. If he does violate them, he may be punished according to those laws, if apprehended while he is within their jurisdiction. If he escape and take refuge in his own country or any State, he may be demanded as a fugitive from justice.

Whether such demand ought to be made, and if made, should be complied with, is a matter to be judged of by the respective authorities making, and upon whom the demand is made, each for itself. The lesser offences are usually connived at, and in such cases the State, whose laws have been violated, is satisfied when the offender has departed beyond its limits. So the State upon whom the demand is made, may, in some cases, refuse to comply with it. Where the offence was of a trivial nature it might decline to comply; and in such case the demand, if made, would rarely be insisted on. When the offence was one created by tyrannical laws leading to oppression or persecution, or where the mode of trial was to be inhuman or inquisitorial, it would be under the most solemn obligation to refuse to comply. But the state in exercising its acknowledged right of judging for itself, would do it under the highest responsibility. If it exercised its right indiscreetly and refused improperly to surrender a criminal whose surrender had been demanded, it would become itself a participator in his guilt and give just cause of war. The cases in which fugitives from justice ought to be demanded by one power and surrendered by another, under the laws of nations, have never been specifically defined. It would be very difficult to define them; and it is perhaps better that each case should be judged of by its own circumstances.

But in the opinion of your committee, it is not necessary to pursue farther this branch of the subject. In their opinion, the case which they are considering does not arise under the law of nations, but under the constitution of the United States; and they cannot acquiesce in the proposition advanced by the governor of New York, that the provision of the constitution is but a recognition of the established principles of the law of nations. They entertain the opinion that that provision is an *extension*, and not merely a recognition of the principle of the law of nations. The only difficulty upon this point originates in a doubt whether the governor of

New York has not restricted too much the principle regulating the conduct of independent nations in this particular. A distinguished jurist of his own state, in a solemn judicial decision has said: "It has been suggested that theft is not a felony of such an atrocious and mischievous nature as to fall within the usage of nations on this point. But the crimes which belong to this cognizance of the law of nations are not specifically defined; and those which strike deeply at the rights of property, and are inconsistent with the safety and harmony of commercial intercourse, come within the mischief to be prevented, and within the necessity as well as the equity of the remedy. If larceny may be committed, and the fugitive protected, why not compound larceny, as burglary and robbery, and why not forgery and arson? They are all equally invasions of the right of property, and incompatible with the ends of civil society. Considering the great and constant intercourse between this state and the provinces of *Canada*, and the entire facility of passing from one dominion to the other, it would be impossible for the inhabitants of the respective frontiers to live in security, or to maintain a friendly intercourse with each other, if thieves could escape with impunity merely by crossing the territorial line. The policy of the nations, and the good sense of individuals, would equally condemn such a dangerous doctrine." (4 *Johnson's Ch. Reports*, 113.)

Your committee will not argue the proposition whether the governor of New York has not stated the principle of the law of nations, on this point, too broadly. But, in their opinion, it is certain that he has either stated it too broadly, or that he is wrong in supposing that the provision of the constitution relating to the surrender of fugitives from justice is but a recognition of the law of nations. Your committee will not, as they well might, insist that the governor of N York is wrong in both propositions; but they, with due deference, insist that he is clearly wrong in the last. That the 2d clause of the 2d section of the 4th article of the constitution of the U. States, is not a mere recognition, but an extension of the principle of the law of nations relating to the demand and surrender of fugitives from justice, is equally clear, in the opinion of your committee, whether we refer to the letter or the spirit of that section.

There was great reason for restricting by the law of nations as much as possible the class of cases where one state might demand and another would be required to surrender fugitives from justice. In every country of Europe the criminal laws have been rude and imperfect. This may be said whether we judge of them from their conformity to truth and justice, the feelings of humanity and the rights of mankind, or by comparing them with the civil jurisprudence of the same countries. The inhumanity and mistaken policy of most of these codes need not be pointed out. With some of them

suspicion was the evidence, and the rack the mode of trial. There was, therefore, great reason for caution on the part of every nation, lest its citizens might be dragged abroad to be tried by foreigners, in modes of trial to which they were unaccustomed, for imaginary or arbitrary offences. But when our constitution was adopted there was no reason for any such caution with regard to the rights and duties, in this particular, of the several states composing this confederacy. In each of them, even before the adoption of the constitution, crimes were accurately defined, and penalties, were neither arbitrary nor uncertain; all accusations were public; trials were in the face of the world; torture was unknown, and every delinquent was judged of by his peers against whom he could form no exception even of personal dislike. That constitution was adopted by those states in order to form a more perfect union; to establish justice; ensure domestic tranquillity; provide for the common defence, and promote the general welfare. And by its provisions, which are the supreme law of the land, it guarantees to every state in the union a republican form of government. It provides that the trial of all crimes, except in cases of impeachment, shall be by jury; that *such trial shall be in the state where the crime was committed*; that no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury; that no person shall be subject, for the same offence, to be twice put in jeopardy of his life or limb, nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty or property without due process of law; that excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

In a constitution formed under such circumstances, with such objects, and containing such provisions, one would not expect to find a clause specifying the cases where the demand of a fugitive from justice might be made by one state upon another, which could only be justified by a doubt of the justice, humanity and clemency of the different parties to it. On the contrary, one would look in such a clause for an expression of the greatest confidence, by each of the states as parties, in all the rest in these particulars. Nor can your committee believe that a clause in such a constitution, securing to one state the most unlimited right to demand, and imposing upon another the most unqualified duty to surrender fugitives from justice, would impair the security of civil liberty. And such a clause your committee believes the 2nd section of the 4th article to be. The second paragraph of that section is in these words: "A person charged in any state with *treason, felony, or other crime*, who shall flee from justice and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up to be removed to the state having

jurisdiction of the crime." The words treason, felony and crime are common law terms. The common law was the law of the land in each of the states which were parties to the constitution, and the terms of it were familiar to its framers. They must, therefore, be taken to have been used in their common law sense. Your committee will not stop to enquire into the meaning of the terms treason and felony in the constitution; they will confine such enquiry to the word crime, that being the most comprehensive term used. Blackstone defines *a crime* thus: "A crime or misdemeanor is an act committed or omitted in violation of the public law either forbidding or commanding it." He goes on to say: "This general definition comprehends both crimes and misdemeanours, which properly speaking, are mere synonymous terms," Misdemeanour is generally used in contradistinction to felony, and misdemeanours comprehend all indictable offences which do not amount to felony, as perjury, libels, &c.

Your committee flatters itself that it has shewn already that the 2d section of the 4th article of the constitution of the United States is not a mere recognition of the principle of the law of nations, regulating the right to demand by one nation and the duty to surrender by another, fugitives from justice; but that that clause is much more comprehensive, and was designed as between the states of this Union, to provide a more perfect remedy than was afforded by the law of nations.

But if a further argument was necessary to enforce this view of the subject, it might be derived from the 1st paragraph of this very 2d section of the 4th article. That paragraph is in these words: "The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states." The first paragraph of this section secures to the citizens of each state all the privileges and immunities of citizens in the several states; and the second paragraph but enforces correlative obligations and duties. Thus are the privileges and obligations of the citizen made reciprocal. The citizen of one state, while he is within the jurisdiction of another, is entitled to all the immunities of a citizen of that state; but if he violate her laws, he is subject to the same punishment.

If any doubt should still exist as to the correctness of this position, it would be removed in the opinion of your committee, by the proceedings of the convention which framed the constitution in relation to this clause.

"The original articles of confederation contained a clause in the following words:

"If any person guilty of, or charged with treason, felony, or other high misdemeanour in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the government or executive power of the State from which he fled,

be delivered up and removed to the State having jurisdiction of his offence.'

"In the convention of 1787, the committee to whom were referred the proceedings of the convention, for the purpose of reporting a constitution, reported a draft, in which the fifteenth article was as follows:

"'Any person charged with treason, felony or high misdemeanor in any State, who shall flee from justice, and shall be found in any other State, shall, on demand of the executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of the offence.'

"When the draft was before the convention, on the 28th of August, 1787, it was moved to strike out the words, 'high misdemeanor;' and insert the words 'other crime;' which motion passed in the affirmative."

And your committee will add, that there has been a late decision in New York sustaining this view.

In the matter of Clark, (9 Wendell, 212,) the then Governor of New York and the Chief Justice of the State, in conformity with these views, both decided that a person who was charged with a misdemeanor only in one State, and had fled into another, ought to be delivered up upon the demand of the Executive of the State within which the offence was alleged to be committed. And the misdemeanor charged in that instance, was not one which was recognized as such by the universal law of all civilized countries, but at common law amounted only to a breach of trust. This decision was made after the most elaborate argument and investigation.

The 2d section of the 4th article of the constitution as thus construed, is just such a provision as the convenient administration of justice demanded. Each State having confidence in the justice and clemency of the others, nothing forbade, and convenience required, that an offender who had committed a crime in one State, no matter where found, should be removed to that State for trial. Most likely, there would be found the evidence of his guilt: there the laws which he had violated would be best understood, and most perfectly administered; and above all, the character of his accusers more properly appreciated.

In the opinion of your committee the next position assumed by the governor of New York is as untenable as the first, to wit: That the second section of the fourth article applies only to those acts which, if committed within the jurisdiction of the State in which the person accused is found, would be treasonable, felonious, or criminal by the laws of that State. If the construction contended for by the governor of New York be the proper one, then the provision in the constitution was unnecessary. "The jurisdiction

of every sovereign state extends to the whole of its territory and to its own citizens in every part of the world. The laws of a nation are rightfully obligatory on its own citizens in every situation where these laws are really extended to them. The principle is founded on the nature of civil union. It is supported every where by public opinion, and is recognized by the writers on the law of nations. Rutherford in his 2d volume (page 180) says: "The jurisdiction which a civil society has over the persons of its members affects them immediately, whether they are in their territories or not."— (*Chief Justice Marshall's speech in the case of Jonathan Robins.*) If the provision, securing the right to demand a fugitive from justice, was only to operate where the laws of New York were violated, then it was superfluous, as New York might enact a law providing for his punishment if apprehended within her territory, no matter where the offence was committed. And, in accordance with this principle, the legislature of that State has enacted a statute, punishing offences committed by its citizens without her territory. (2 R. S. 698, § 4.) That the clause was not designed to provide only for the case of a citizen of one State taking refuge in any other State than the one of which he was a citizen, is admitted by the Governor of New York himself. "It has long been conceded," he says, "that the citizens of the State upon which the requisition is made, are liable to be surrendered, as well as citizens of the State making the demand."

The correctness of the position taken by your committee, is sustained also by a solemn judicial decision of New York. In the matter of Clark, chief justice Savage declares: "With the comity of nations we have at present nothing to do, unless perhaps to infer from it that the framers of the constitution and laws intended to provide a more perfect remedy; *one which should reach every offence criminally cognizable by the laws of any of the States*; the language is treason, felony or other crime. The word crime is synonymous with misdemeanor, and includes every offence below felony, punished by indictment as an offence against the public."

But admit that your committee is wrong in this; restrict the clause as much as is contended for; admit that a former Governor of New York was wrong; that the Chief Justice of that State was wrong, and that the present Governor is right—admit all this, and your committee humbly submits that the answer of the Lieutenant governor of Virginia to the governor of New York, on this head, is conclusive. He says: "It is true that the offence committed by Peter Johnson, Edward Smith and Isaac Gansey is not recognized as criminal by the universal law of all civilized countries? They are charged with *feloniously stealing* from John G. Colley, a citizen of this state, property which could not have been worth less than six or seven hundred dollars. And I understand stealing

to be recognized as a crime by all laws human and divine." To this the governor of New York replies; "It is freely admitted that the argument would be at an end if it were as clear that one human being may be the property of another, as it is that stealing is a crime. On the contrary, however, I must insist, with perfect respect, that the general principle of civilized communities is in harmony with that which prevails in this state, that men are not the subject of property, and of course that no such crime can exist in countries where that principle prevails, as the felonious stealing of a human being considered as property."

The governor of New York thus resolves the whole controversy into the question whether slavery can legally exist; and whether slaves are to be regarded as property by the northern states of this confederacy, in their intercourse with the southern. In this view of the subject, it assumes a consequence which it would not otherwise possess, and which demands of the general assembly that it should speak in a manner that cannot be misunderstood.

That one human being may be the property of another, and that laws making him such have been recognized by the universal consent of all civilized nations, is a proposition which cannot be denied. Your committee does not recollect a solitary civilized nation of modern times which has not, within the nineteenth century, recognized slaves as property. Not to swell this report by an enumeration of other instances, your committee will refer to the case of Great Britain—a nation more fastidious, and your committee might add, more fanatical upon this subject, than any of the other nations of the earth. It has only been within a few years that she has abolished slavery within her own jurisdiction; and in a late treaty with this country she recognized them as property in the most emphatic manner, by making pecuniary satisfaction to the owners of such as were abducted by her forces during the late war. But what is still more to the purpose, every state in the Union except Massachusetts, at the time of the adoption of the constitution, tolerated slavery, and admitted that one man could be the property of another. Indeed it has only been within a few years that New York has abolished slavery within her own limits. Until that time, even by her own laws, one man might be the property of another. The states not only in their separate individual capacity recognized property in slaves, but in the most solemn manner, in their collective capacity, in the adoption of the federal constitution, did they declare that recognition. That constitution not only recognizes slavery, but it guarantees and protects the master's right of property in his slave. In proof of this, your committee need only refer to the third paragraph of the 2d section of the 4th article of the constitution. But for that clause, a slave who should escape from his master into a free state would become free, and could not be reclaimed. Considering the facility of escape from many of

the slave states, to the so called free states, this provision was a most efficient protection to us in the enjoyment of our property. But your committee will not further press this view of the subject, as it is already familiar to the public mind.

It has been shewn, that at the adoption of the constitution, slavery existed in every state which was a party to it, except one. It was recognized and guaranteed by that constitution itself, which was the act of all the states. Is it competent for one party, by abolishing slavery thereafter within her own jurisdiction, so to affect it in other states as to destroy it as a subject of theft, and thereby, without the consent of the other parties, change her duties under the constitution. Surely one party cannot directly or indirectly vary or impair the compact without the consent of the other. Had this question arisen shortly after the adoption of the constitution even upon the principles of the governor of New York, there could have been no difficulty as to his duties. Then slaves were property in New York; and the governor says that if one man could be the property of another, and thus become the subject of theft, the argument is at an end. Was it competent for New York by any act of her own, without the consent of the other parties, to modify or change her duties under the compact, and to relieve herself from the discharge of those duties under which she was acknowledgedly placed by its provisions at the time of its adoption? Can such a proposition be insisted on?

In this connection, it is proper to enquire what laws existed in Virginia, in relation to the selling of slaves, at the adoption of the federal constitution. The same laws which are now in force in Virginia were in force then. Our statute contains two provisions upon this subject. The first is in these words: "If any person or persons shall hereafter be guilty of stealing any negro or mulatto slave whatever, and be thereof lawfully convicted, whether the said slave or slaves so stolen shall have been taken out of or from the actual or immediate possession of the owner or owners of such slave or slaves, or shall have been elsewhere found, he or they shall be adjudged guilty of felony, and shall undergo a confinement in the penitentiary for a period not less than three nor more than eight years." (*1. R. C. page 427.*) The other provision of our statute is in these words: "Whosoever shall hereafter carry or cause to be carried, any slave or slaves out of this commonwealth, or shall carry or cause to be carried, any slave or slaves out of any county or corporation within this commonwealth, into any other county or corporation within the same, without the consent of the owner or owners of such slave or slaves, or of the guardian of such owner or owners, if he, she or they be a minor or minors, and with the intention to defraud or deprive such owner or owners of such slave or slaves, shall be adjudged guilty of felony, and subject to prosecution as in other cases of felony, and upon conviction thereof shall

be punished by fine not less than one hundred nor more than five hundred dollars, and shall also be imprisoned in the jail or penitentiary house, for a period not less than two, nor more than four years; which fine and imprisonment shall be fixed and ascertained by a jury." In the next section of the act, it is further enacted, "That not only all those who shall willingly and designedly carry away slaves as aforesaid, but all masters of vessels who, having a slave or slaves on board their vessel, shall sail beyond the limits of any county with such slave or slaves on board, shall be considered as carrying off or removing such slave or slaves, within the true intent and meaning of this act." (1. R. C. 428.) This statute was passed as early as 1753; and the only change which has been made in it, consists in the substitution in 1839, of confinement in the penitentiary, in place of "death without benefit of clergy" as the punishment for the felony created by it. Let it not be said that these laws are harsh. They are less sanguinary than they were at the adoption of the constitution. But if they be so, citizens of other states need not come, unless they choose, into Virginia; and if they do, they need not violate her laws and incur their penalties.

Thus stood the matter at the adoption of the federal constitution. Did Virginia and the other southern states understand that the northern states, by abolishing slavery within their limits, would take the felony of stealing a slave out of the operation of the 2d section of the 4th article of the constitution? If they had so understood it, would they have agreed to the adoption of the constitution?

If there was one feeling, more than any other, which marked the conduct of southern men at the time of the adoption of the federal constitution, it was extreme jealousy and distrust of the northern and eastern sections of this union on the subject of slavery. The proceedings of each of the conventions, south of the Potomac, which adopted the constitution, demonstrate this too clearly for doubt. All must admit, that no constitution would have been acceded to by a solitary southern state, which did not contain the amplest guarantee of property in slaves. The caution which our southern statesmen manifested on this subject was set down, at the time, to the score of idle fears and ungenerous jealousy. But among the numerous instances in which they discovered a sagacity and wisdom almost more than human, not one was more remarkable than this. With a sagacity which partook of prescience, they discerned the dangers with which we are at present environed, and they provided against them by provisions in the constitution itself, as far as they could be relied upon, and by a reservation of all the means of protection which unimpaired sovereignty can afford when these should prove ineffectual.

The southern states demanded that a clause should be inserted in the constitution, providing for the capture of fugitive slaves.—

Could men who required a provision of that sort, have been guilty of the inconsistency and absurdity of agreeing to a constitution under which any one of the distrusted states could produce a condition of things in which, although there would be an obligation to send back to his bondage, the slave who had fled from his master to gain his liberty, yet the felon who should steal him from this very master, might go acquit? Such fatuity might be looked for in madmen, but not in a body of statesmen, unequalled in the history of the world, for their cautious wisdom.

In the opinion of your committee, if the construction contended for by the governor of New York, was justified by the letter of the constitution, (as it clearly is not,) it would yet be a palpable violation of its spirit, and render that constitution *a fraud* upon a portion of the parties to it.

The positions of the governor of New York, when carried to their legitimate results, lead to consequences of a most frightful character, and which, as it seems to your committee, could not have been duly weighed by him. The governor of New York says, it is no offence to steal a slave, because one man cannot be the property of another, and cannot, therefore, be the subject of theft. If, for these reasons, it be no offence to steal a slave and carry him to New York, it would be none to steal him and carry him to Louisiana. Surely, in such a case, it would make no difference whether the thief steered north or south after committing his robbery. The consequence is, if a citizen of New York were to come into this state, inveigle a cargo of our slaves on board his vessel, under the pretext that he meant to take them to some "land of liberty," and should carry them to Louisiana and sell them in the New Orleans market, and should thereafter take refuge in New York, he would be free from arrest, and could not be made to expiate his crime. And without wishing to make any unjustifiable attack upon the citizens of any state of this union, your committee would be wanting in candour, if they expressed a doubt that such a case, if the course of the governor of New York should be persevered in, would be of probable and frequent occurrence. There are bad men in every country who will commit offences when they can profit by it, and do it with impunity. But what is still more probable, (if the course of the governor of New York be acquiesced in,) is, that those deluded enthusiasts at the north, who, in pursuit of something they know not what, are spending thousands and thousands in efforts which they must see, if they be not blinder than any one, except a fanatic, ever yet was, can never accomplish their object, will attempt to make those efforts practically efficient, by coming into our state and making it a labour of *virtue* to steal our slaves, and convey them to a more galling bondage than they now suffer, in the northern states.

Suppose one of those northern fanatics, who believing that the

shedding of the blood of the wives and children of southern slaveholders, would be but an acceptable offering in the eyes of God, should come among us, and after inciting our slaves to insurrection, and aiding and abetting them in it, should escape into New York, consistency would compel the governor of N. York to refuse to deliver him up for trial and punishment. He would say one man cannot be the property of another. These negroes therefore were held in illegal bondage, and the person who aided them in their effort to throw it off, only performed a meritorious action.

Your committee do not wish by these remarks to excite idle fears. This general assembly do not represent a timid people. — But the abhorrent consequences flowing from the positions of the governor of New York, if carried to their legitimate results, tend to demonstrate the unsoundness of those positions themselves.

The most painful circumstance attending this controversy with a sister state, originates in the conviction which forces itself upon the mind of your committee, that the executive of New York has taken his extraordinary course, either under the influence of the fanatical feelings of the northern abolitionists, or with a view of conciliating those enemies of the domestic tranquillity of this country. The distinctions of the governor of New York are impracticable, and will rarely be applicable to any other case than one similar to that under consideration. The common law of England is the law in every state of the Union, except one. The statutory crimes and felonies, in them all, are very nearly of the same character. There is scarcely an article, except slaves, which is property in one state, that is not property, and the subject of theft, in all. The untenable distinction therefore of the executive of New York, seems to have been taken with a single view of protecting the depredators upon our slave property; a species of property to which we adhere with a stronger tenacity than such as originates only in a calculation of its value.

Your committee lament the course of the executive of N. York, and they trust that it will not be persevered in. They lament it not more on account of the interests of this state, than of N. York. They lament it because it brings the existence of this Union into jeopardy.

It is the pride and glory of our country to be an asylum for the persecuted and oppressed of every nation and every clime. But should any state of this Union erect herself into a place of refuge for the thieves and robbers who might escape from the offended justice of any of her sister states, she would sully that glory and render herself unworthy of that sisterhood which should be her pride. And the country may rest assured that in such an event Virginia will take proper measures to extricate herself from such an unholy alliance!

Your committee now approach the only part of their duty, the

discharge of which has given them any difficulty. What is the proper remedy in this case? The means of redress and protection which are within the reach of Virginia are ample. The only difficulty which your committee has had, has been in selecting one consistent with the relations imposed upon the members of this confederacy by the constitution. A variety of remedies have been proposed:

1st. An appeal to the supreme court of the United States.

2nd. An appeal to the congress of the United States so to amend the statutes heretofore passed upon that subject, as to authorize the demand in the cases contemplated to be made upon the circuit judge of the United States, having jurisdiction in the state where the fugitive may be found.

3d. The appointment of inspectors to inspect all vessels trading to the north, to see that no slaves are secreted.

4th. The requirement from all citizens of New York coming into Virginia, security for their good behaviour.

5th. A solemn appeal to New York herself, to redress our wrong, and to do us justice.

There are objections to all of these remedies, but something to recommend most of them.

1st. An appeal to the supreme court, in the opinion of your committee, is entirely out of the question.

In the first place, in the opinion of your committee, the supreme court has no jurisdiction. The case is in the nature of a national demand made by one state upon another; and not such a "*case in law and equity*," as comes within the provision of the constitution. There is nothing of "*meum et tuum*" involved in the controversy. The question cannot conveniently "assume a legal form for forensic litigation and judicial decision." "By extending the judicial power to all *cases in law and equity*, the constitution has never been understood to confer on that department any political power whatever." (*Chief Justice Marshall*.) Besides this the remedy would be ineffectual. If successful in this case even, it would afford no protection for the future. But would it be successful in this case? Your committee cannot express the belief that it would. As a mere judicial opinion of the duties of the executive of New York, most probably it would be unheeded. We have seen the governor of New York disregarding the decisions of the supreme court of his own state; and it is not probable that he would shew a greater deference for the decision of the federal judiciary. Besides, how could the judgment of the court be enforced? Your committee cannot recommend any course which might and probably would bring the authorities of the federal government and of the states into collision. But above all, the wish of Virginia is that New York should herself, freely and magnanimously do us justice. We would prize but little that justice which she should be forced reluctantly to yield us.

2d. To the second remedy proposed, your committee has also decided objections, and it cannot withhold the expression of its regret that Georgia, with whom Virginia will make common cause, should recommend it.

In the first place, the surrender of a fugitive from justice is properly an executive duty. The executive is at the head of the civil and military authority. It holds and directs the force of the state. When therefore a surrender is to be made, the executive can best discharge the duty. Besides, it being at the head of the state, it is especially its province to determine in what cases a citizen is to be delivered up to be removed to another state for trial. If any change of the law is to take place upon this subject, it must be a general one; and your committee is averse to a change by which the decision of the question, whether the citizen of a state shall be surrendered as a fugitive from justice, shall be transferred from the chief civil and military officer of the state, to the federal judiciary. In a case involving the liberty of the citizen, the supreme authority *of the state* is the proper tribunal for its decision. In addition to this it might be urged with much force, that the provision of the constitution itself contemplated that the duty of surrendering a fugitive from justice should be discharged by the executive of the state to which he had fled. It is true the provision is silent as to the tribunal upon which the demand is made; but it provides that the fugitive is to be delivered up "on the demand of the executive authority of the state from which he fled;" and the inference is strong that the clause contemplates that the demand is not only to be made by the executive of the state from which the fugitive had fled, but to be made upon the executive of the state in which he had taken refuge. There was as great or greater reason for requiring that the demand should be made upon, as by, the executive. And the act of Congress passed shortly after the adoption of the constitution is in accordance with this view.

Besides, the change proposed would add another to the list of cases, already too long, in which the state and federal authorities may come into collision. There may be cases, where no state would permit a citizen to be surrendered, as a fugitive from justice, by the federal judiciary. And in some of them, resistance would be interposed, when it would never have been thought of if the surrender had been ordered by the state authority. And in the opinion of your committee, no practical result would be produced by such a change; for in all exciting cases, the state courts will be called upon in any event to adjudge the case finally.

But above all, your committee is averse to sending this subject into congress, and thus giving the abolitionists the long-wished for opportunity of denouncing in the national legislature, an institution of such peculiar character and paramount importance, and of franking their incendiary effusions to the four quarters of the Union.—

We have always denied that slavery was a fit subject of congressional discussion, and your committee cannot recommend any course which will bring that subject into debate there. And your committee is strengthened in this view by witnessing the exultation which the abolitionists manifest at the prospect of this subject being introduced by ourselves in this form.

3d. The proposition to appoint inspectors. This has much to recommend it. In the first place, the remedy is specific to the wrong. It is clear of all constitutional difficulty. The principle upon which such a law would be founded has been frequently recognized. In point of time, first in the recognition of the validity of quarantine regulations, and last in the law punishing the transmission of incendiary publications by mail. But it is liable to objections. To bring it, perhaps, within the constitution, it would have to be general. In such an event the law, which would be harassing and vexatious, would operate equally upon those who had wronged us, and those who had not. Besides, it would be difficult to enforce it in an effectual manner. A vessel might be inspected one hour, and the next take a slave on board and be off. This would be the case particularly in the navigation of our long rivers.

4th. The requirement of security for good behaviour from the citizens of New York. This would be perfectly just in itself, and might produce desirable results. But your committee will not recommend it at this time, as it is liable to many objections. In the first place its constitutionality might be questioned. Although it is true, that the constitution is a compact between the states; and although it is also true, that when such a compact is broken by one party, it ceases to be binding on the rest, yet we ought not *now* to take this ground—we may be driven to it in the end. But your committee will not take it for granted that New York will persevere in her unconstitutional course. Let us give her every opportunity to retrace her steps, and not render an amicable adjustment of our difficulties impossible, by acting as if we considered the constitution no longer binding upon us, because it had been broken by her.

5th. A solemn appeal to New York to review her course and render us justice. The objection to this is, that New York having in one instance, at least, before this, failed to discharge her duties as a member of this Union, in taking effectual means to protect us from the attacks of her citizens upon our domestic institutions, in a manner to meet our just expectations, has deprived herself of the right to be met in the amicable spirit which this course would indicate. But the governor of New York, in his late annual message, has brought this whole subject to the attention of the legislature of that state; and your committee is unwilling to believe, that the state, in its sovereign capacity, will sanction the course of her executive.

It is true that the governor of New York takes the ground, that the subject is one that appertains to the executive department. He says: "The duties of that department, in such cases, are prescribed by the constitution of the United States, and not by the constitution and laws of New York." Nevertheless, as he has brought the matter to the attention of the legislature, and expressed a deference for it, the probability is, that he would acquiesce in any disposition which it should make of the subject. And your committee is fortified in this opinion, by the fact that the governor of New York, in his correspondence with the executive of this state, declared "that as an executive officer of that state, he was bound to regard with very great deference, and the argument must be conclusive, which should prevail with him, to act in opposition to a legislative exposition of his duties."

Your committee will not discuss the question whether this is a matter about which the state legislatures can act at all. There are many difficult questions involved in it which need not be solved. It may be insisted, that this is a question arising under the constitution of the United States, with which the state legislatures have nothing to do. On the other hand, it may be contended that the state legislatures possess *the exclusive* right to legislate upon this subject, and that the provision of the constitution merely imposes a duty upon the states, but vests *no power* in the federal government, or any department of it, except the *judicial* power of declaring and enforcing the rights secured by the constitution. The third ground might be taken, that the power of legislation was concurrent in congress and the state legislatures. Your committee will not undertake to decide these questions; but it cannot bring itself to doubt but that the state legislature may act in a manner, not contravening the constitution and laws of the United States, to bind the executive of the state.

Let it not be said that by conceding the right of the state government to legislate upon the subject, we concede a power which may be exercised in a manner to impair our rights under the constitution and laws of the United States. It does not follow that because the state legislatures may co-operate in securing our rights under the constitution and laws of the United States, it may legislate in derogation of them.

For these reasons, your committee are disposed to await the action of the legislature of New York; and they are the more disposed to this course, as there is no occasion for haste. The slave which was stolen in this instance has been recovered. No private justice is delayed. Nothing is involved in the controversy but a principle; an important one it is true, but one which will not be jeopardized by the delay proposed. In the mean time your committee recommends that the executive of this state be requested to renew his correspondence with the governor of New York; to ap-

prise him of the importance we attach to the subject ; to communicate our proceedings to him, and respectfully request that he will bring those proceedings to the attention of the legislature of his state.

The subject which your committee have had under consideration is one in which the whole of the slaveholding states are equally interested with Virginia. Your committee therefore recommend that the governor of this state be requested to open a correspondence with the executive of each of these states, informing them of the importance which Virginia attaches to this subject, communicating our proceedings in relation to it, and asking their co operation in all proper measures of redress, which in the event that New York shall decline to us justice, we may be called upon to adopt.

The people of Virginia have not witnessed the controversy, somewhat similar to this, in which Georgia is involved with Maine, without taking in it the deepest interest. Virginia is prepared to make common cause with Georgia, or any other slaveholding state, in a similar controversy.

It is true that the grounds taken by the governor of Maine, are much less exceptionable than those assumed by the executive of New York ; but in the opinion of your committee not less untenable. Your committee will not extend this report to establish by argument a proposition which has already been demonstrated by others, and which will not be controverted by any unprejudiced mind. But the very variety of indefensible expedients, resorted to by the authorities of some of the northern states, to avoid the discharge of their constitutional duties, goes the more clearly to demonstrate the deep rooted hostility of those states to our domestic institutions, our peace and prosperity.

The patience of the south has already been too severely taxed, and we once for all, without bravado or threat, in the language of a distinguished senator of New York, warn the non-slaveholding states " that they may find when it is too late, that the patience of the south, however well founded upon principle, from repeated aggressions will become exhausted."

Your committee do not apprehend, that the cause of the moderation which they recommend will be misunderstood. We are too clearly right to be rash. Fortunately Virginia's character for chivalry is not so doubtful that she must be rash in order to seem to be firm.

Your committee cannot close this report without expressing in high terms its cordial approbation of the conduct of the executive of Virginia in relation to this controversy with New York.

Your committee recommend the adoption of the following resolutions :

1. *Resolved*, That the reasons assigned by the governor of New York, for his refusal to surrender Peter Johnson, Edward Smith

and Isaac Gansey, as fugitives from justice, upon the demand of the executive of this state, are wholly unsatisfactory; and that that refusal is a palpable and dangerous violation of the constitution and laws of the United States.

2. *Resolved*, That the course pursued by the executive of New York cannot be acquiesced in, and if sanctioned by that state and persisted in, it will become the solemn duty of Virginia to adopt the most decisive and efficient measures for the protection of the property of her citizens and the maintenance of rights which she cannot and will not, under any circumstances, surrender or abandon.

3. *Resolved*, That the governor of this state be authorized and requested to renew his correspondence with the executive of New York, requesting that that functionary will review the grounds taken by him; and that he will urge the consideration of the subject upon the legislature of his state.

4. *Resolved*, That the governor of Virginia be requested to open a correspondence with the executive of each of the slaveholding states, requesting their co-operation in any necessary and proper measure of redress which Virginia may be forced to adopt.

5. *Resolved*, That the governor of Virginia be requested to forward copies of these proceedings to the executive of each state of this Union, with the request that they be laid before their respective legislatures.

Agreed to by the House of Delegates, February 28th, 1840.

GEORGE W. MUNFORD, C. H. D.

Agreed to by the Senate, March 17th, 1840

A HANSFORD, C. S.



